

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

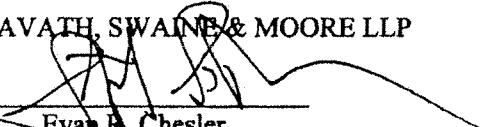
INTERNATIONAL BUSINESS	:
MACHINES CORPORATION,	:
	:
Plaintiff,	09-CV-4826 (SCR)
	:
v.	:
	:
DAVID L. JOHNSON,	:
	:
Defendant.	:
	:

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that the above-captioned action is dismissed with prejudice.

Dated: April 28, 2010

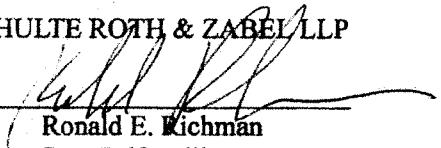
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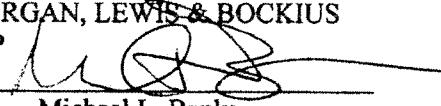
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SO ORDERED:

Stephen C. Robinson
United States District Judge